

Chapter 800

Radiation Safety & Nuclear Gauge Operation - 19

1. GENERAL CDOT NUCLEAR INFORMATION

1.1 Training of Nuclear Gauge Operators

RSO's - Each Region Materials Engineer (RME) has appointed three properly trained individuals to act as the On-Site Radiation Safety Officers (RSO's). They will operate in coordination with the CDOT RSO to ensure full compliance with the Radioactive Materials License.

Dept. Of Health Documents - The CDOT's nuclear program is guided by two principle documents, both issued by the Colorado Department of Public Health and Environment:

- 1) "Rules and Regulations Pertaining to Radiation Control"
- 2) "The Radioactive Materials License"

Operator Training - All current or potential Nuclear Gauge Operators must complete the CDOT "School of Radiological Safety and Nuclear Gauge Operation." After successfully passing the course,

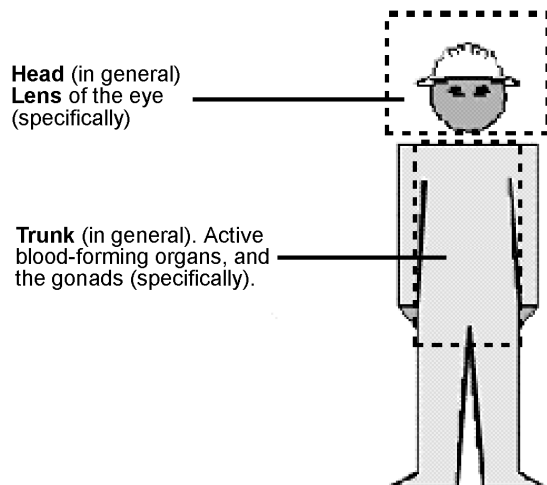
the individual may begin supervised instruction in testing with a nuclear gauge.

Operator I.D. Card - A "CDOT Nuclear Gauge Operator Identification" card will be issued immediately after the On-Site RSO certifies that the individual is technically qualified to utilize a designated gauge and has acted in a manner equal to the responsibilities required by the CDOT Radioactive Materials License.

Recurrent Training - The U.S. Department of Transportation (49 CFR) stipulates that anyone who transports hazardous materials or prepares these materials for transport must receive training at intervals not to exceed three years.

1.2 Radiological Safety

Health Risks - Nuclear Gauges contain radioactive source material and are potentially dangerous if used improperly. However, research findings indicate no radiological health hazard exists for operators of nuclear gauges when appropriate safety precautions are observed.



Personal Monitoring Devices

The personnel dosimetry devices used by CDOT are categorized as "Whole Body" - the head and trunk in general. The areas of specific concern are the lens of the eyes, active blood-forming organs, and the gonads.

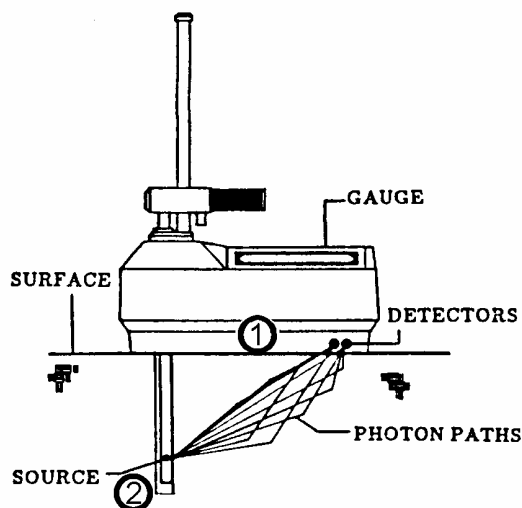
The maximum legal occupational dose (exposure) per year is 0.05 Sieverts (Sv) [5 REMs] to the "Whole Body".

Reducing Exposure - Radiation exposure is significantly reduced by:

- 1) Decreasing **time** spent near a gauge
- 2) Increasing **distance** from the gauge
- 3) Allowing the **shielding** incorporated in the design and construction of the gauge to be utilized as intended.

Leak Wipes –Leak Wipes are to be performed annually on Troxler & CPN gauges and semi-annually on InstronTek gauges to ensure the integrity of the sealed sources (the radioactive source capsules that are double encapsulated). Leak Wipes are also performed if a nuclear gauge has been involved in an accident or a nuclear gauge operator has an unexplainably high radiation exposure on his/her personnel dosimeter. Personnel monitoring is the determination of the amount of ionizing radiation to which an individual has been exposed.

ALARA - The CDOT operates under the concept of ALARA, As Low As Reasonably Achievable. Legal limits are not as important as minimizing radiation exposure.



1.3 Nuclear Gauge Type and Radiological Description

(1) Troxler Moisture/Density (M/D) Gauge:

① Americium-241:Beryllium (AM-241:BE)

1.48 GigaBecquerel (GBq) [40 milliCuries (mCi)]
Alpha & Neutron Radiation

②Cesium-137 (CS-137)

0.30 GigaBecquerel (GBq) [8.0 milliCuries (mCi)]
Beta & Gamma Radiation

(2) CPN Moisture/Density (M/D) Gauge:

① Americium-241:Beryllium (AM-241:BE)

1.85 GigaBecquerel (GBq) [50 milliCuries (mCi)]
Alpha & Neutron Radiation

②Cesium-137 (CS-137)

0.37 GigaBecquerel (GBq) [10 milliCuries (mCi)]
Beta & Gamma Radiation

(3) InstronTek Moisture/Density (M/D) Gauge:

① Americium-241:Beryllium (AM-241:BE)

1.48 GigaBecquerel (GBq) [40 milliCuries (mCi)]
Alpha & Neutron Radiation

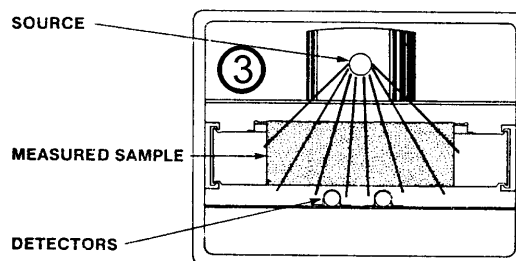
②Cesium-137 (CS-137)

0.37 GigaBecquerel (GBq) [10.0 milliCuries (mCi)]
Beta & Gamma Radiation

(4) Troxler & CPN Asphalt Content (AC) Gauge:

③ Americium-241:Beryllium (AM-241:BE)

3.7 GBq [100 mCi]
Alpha and Neutron Radiation



The Nuclear Lab of the Staff Materials Laboratory maintains copies of all personnel monitoring exposure records, leak test analysis records, correspondence with the Colorado Department of Health, Rules and Regulations Pertaining to Radiation Control, and the Radioactive Materials License.

CONTACT:
STAFF MATERIALS LABORATORY
NUCLEAR LAB
RADIATION SAFETY OFFICER
Office 303/398-6547 Cell 303/319-9557
4670 N. Holly Street, Unit A
Denver, CO 80216

1.4 Compliance With The Following Points Are Required.

Age - Nuclear gauge operation is prohibited by any CDOT personnel who have not attained the age of 19.

Personnel Monitoring Device - All nuclear gauge operators are required to wear their personnel monitoring device during work hours. CDOT utilizes ThermoLuminescent Dosimeters (TLD's) capable of detecting both gamma and neutron radiation.

Identification - A "Nuclear Gauge Operators I.D." card must be possessed by any CDOT personnel operating a gauge while unsupervised.

Shielded Compartments - Under no circumstances should field personnel enter or attempt to enter the gauge's shielded compartment containing the radioactive source or attempt to remove the source rod.

M/D "Safe" Position - Moisture/Density Gauges should not be placed outside of the safe position until actual testing is ready to begin. This is the "safe" position only for gamma radiation; neutron radiation is always emitted from the bottom of the base. Operators should always be aware of the direction the base is facing to avoid exposure to themselves and others.

Safe Distance from Gauges - Do not position your body within 6 feet of the nuclear gauge for more than a few minutes at a time, regardless of whether the source is shielded or unshielded.

Restricted Areas – A restricted area is an area in which CDOT has control over access. In the restricted area an individual can receive a maximum exposure of 0.05 Sieverts (Sv) [5 REM] per year. In unrestricted areas, those CDOT cannot control the access to, the maximum dose to the public is 0.02 milliSieverts (2 milliREM) per hour and 1.0 mSv (100 mREM) per year.

Minors are prohibited from being within a restricted area. Non-gauge operators may be within a restricted area for only a few minutes at a time. The entire test trailer is a restricted area, as well as 2 meters around a gauge if outside of a building.

If a non-gauge user will be working in a restricted area their exposure shall be monitored.

Storing Nuclear Gauges – All nuclear gauges shall be stored in such a way that two independent physical locks must be defeated to take the gauge. This means that if one of the locks is defeated the other lock remains in full effect.

At Region labs, the vault doors shall be closed and locked unless in the process of checking out or returning a gauge.

When a gauge is stored at a project trailer, it must be stored in a locked cabinet or chained and locked to a permanent structure in the trailer. The structure shall be strong enough to adequately resist breakage. When sharing a location with a consultant, the CDOT and consultant gauges will not be stored under the same lock. Each will have differently keyed locks and they will not have keys to the other's lock. Each entity will post a copy of their Emergency Response forms in accordance with DOH requirements. The gauge case will also be locked.

If leaving a gauge in an unattended vehicle you still need 2 locks. Each lock must act independently to secure the gauge. If one is defeated the other must prevent the gauge from being taken. Transportation cases that the gauge case fits into are acceptable. Transportation cases must be secured by 2 locks that prevent the transportation case from being taken as well as opened. You can also satisfy the 2 lock rule by locking the gauge to something in the vehicle, such as the steering wheel, and locking the doors. This should be done only when absolutely necessary.

For AC gauges that are chained to the bench,

lock the front of the gauge when not in use. AC gauges that are used in Region labs shall be locked to the bench or an anchor in the wall, if they will not be supervised at all times. The front door shall also be locked when it is not in use. At the Region storage vaults, keep the doors closed and locked at all times. If possible, it is best to return the gauge to the vault during prolonged down time.

Proper Placarding - A test trailer or Region Materials Lab must be placarded so that an individual approaching the facility or room will see the "CAUTION RADIOACTIVE MATERIALS" placard, the *completed* "CDOT NUCLEAR INCIDENT PROCEDURES" sheet (Page 9), and the Colorado Department of Health's "NOTICE TO EMPLOYEES" sheet (Page 10).

Completing Nuclear Logs - The "NUCLEAR MOISTURE/DENSITY GAUGE LOG" CDOT Form #746 and the "NUCLEAR ASPHALT CONTENT GAUGE LOG" CDOT Form #772 must be completed, specifically with the operator's full name, every day in which either gauge is operated. They must be returned to Staff Materials-Nuclear Lab upon completing the last line on the Form and always by the end of the calendar year. (Pages 12-13).

Transporting Nuclear Gauges - A nuclear gauge may only be transported within a DOT Type "A" carrying case. It shall be securely fastened to the vehicle to prevent it from moving or being ejected in the event of an accident. Gauges will only be transported by certified gauge users. Gauges shall not be transported outside of the state of Colorado.

In all vehicle types the gauge shall be placed as far from the driver as possible. This typically means the right rear corner of the vehicle. The gauge case shall be locked.

In vans, SUV's and cars, the doors shall be locked during transport. The doors serve as one lock. At least one other lock must be in effect.

In a pickup with a topper, the topper shall be locked during transport.

In open pickup beds, the gauge shall be secured by 2 independent locks. If one lock it defeated the other must prevent the gauge and case from being removed. Gauges will not be transported in the passenger compartment.

Nuclear Gauge Binder - The binder must be accessible to the driver at all times while the

vehicle is transporting a nuclear gauge. If the gauge is stored in the vehicle and it is not being transported, place the red gauge binder on the driver's seat or in a pocket on the driver's side door. Four documents must be kept in the gauge binder: Bill of Lading, Source Certificate, Nuclear Incident Procedures, and CDOT's Radioactive Materials License.

Reporting Unsafe Conditions - Any apparent unsafe situation involving the use or storage of nuclear gauges shall be reported directly and immediately to the CDOT RSO.

Gauge Operation During Pregnancy - All female nuclear gauge operators must notify the RSO at Staff Materials immediately once she decides to "declare Her Pregnancy" (Page 11).

2. SAMPLE DOCUMENTS

2.1 CDOT Nuclear Gauge Reference Information. (Color photographs of current CDOT Nuclear Gauges).....	Page 5
2.2 Nuclear Gauge Reference Information	Page 6
2.3 On-Site Radiation Safety Officer Emergency Notification Telephone Directory.....	Page 7

2.1 CDOT Nuclear Gauge Reference Information

CDOT's Nuclear Gauges



Troxler 3440 Moisture/Density



Troxler 3430 Moisture Density



CPN AC-2R Asphalt Content



InstroTek 3500 Xplorer



CPN MC-3 Moisture/Density



Troxler 3241-C Asphalt Content



2.2 Nuclear Gauge Reference Information

NUCLEAR GAUGE REFERENCE INFORMATION**PROPER SHIPPING NAME, CLASSIFICATION, LABELING and MARKING:**

USA DOT 7A TYPE A RADIOACTIVE MATERIAL, SPECIAL FORM, UN 3332 RQ

TYPE A PACKAGE, RADIOACTIVE YELLOW II, $T_{1/2} \leq 0.5$ **SPECIAL FORM CERTIFICATE:** Radioactive materials used in these gauges have been certified as "SPECIAL FORM" by a recognized "COMPETENT AUTHORITY".**LEAK TEST:** The Colorado Department of Transportation performs a leak test on each nuclear gauge semi-annually to reveal that the removable activity is less than 0.005 micro curies.**PROPERTY OF CDOT DECAL:** The decal has been affixed to all nuclear gauge shells and their respective US DOT 7A TYPE A carrying cases.

PROPERTY OF



COLORADO DEPARTMENT OF TRANSPORTATION

Staff Materials Laboratory

4670 Holly Street, Unit A

Denver, Colorado 80216-6408

303-398-6547

Colorado State Patrol Hazmat Office

(303) 239-4546

CDOT Form #1247

CDOT NUCLEAR GAUGE SPECIFICATIONS**MOISTURE/DENSITY (M/D) GAUGE:** Troxler 3400 series, Instrotek 3500 & CPN MC-3

RADIONUCLIDE: Cesium-137 (Ce-137)

ACTIVITY: Troxler: 0.30 GigaBecquerels (GBq) [8.0 milliCuries (mCi)]

CPN & Instrotek: 0.37 GBq (10 mCi)

Sealed Source located in the tip of the source rod.

RADIONUCLIDE: Americium-241:Beryllium (Am-241:Be)

ACTIVITY: Troxler & Instrotek: 1.48 GBq (40mCi)

CPN: 1.85 GBq (50 mCi)

Sealed Source located in the center of the base.

ASPHALT CONTENT (AC) GAUGE: Troxler 3241-C & CPN AC-2R

RADIONUCLIDE: Am-241:Be

ACTIVITY: 3.70 GBq (100 mCi)

Troxler Sealed Source located in top center above chamber.

CPN Sealed Source located in bottom center below chamber.

EMERGENCY ASSISTANCE-RADIATION SAFETY OFFICERS ONLY!**COLORADO DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT:**

LABORATORY & RADIATION SERVICES DIV:

EMERGENCY MANAGEMENT UNIT:

24 HOURS

303-877-9757

TROXLER ELECTRONIC LABORATORIES, INC.:

EMERGENCY ASSISTANCE:

24 HOURS

919-549-9539

2.3 ON-SITE RADIATION SAFETY OFFICER EMERGENCY NOTIFICATION TELEPHONE DIRECTORY

<u>Fiscal Year 2018</u>				
<u>REGION</u>	<u>PERSONNEL</u>	<u>OFFICE LOCATION</u>	<u>WORK PHONE</u>	<u>HOME PHONE</u>
1	Tim Dunn	Denver	303-398-6804	
	Brian Kelly	Denver	303-512-5675	
2	Robert Bergles	Pueblo	719-546-5776	
	Mike Schriber	Colorado Springs	719-634-2323	
	Daniel Story	Lamar	719-336-3228	
3	Cecil Cubbison	Grand Junction	970-683-7567	
	Andy Rosedahl	Grand Junction	970-683-7570	
	Darren Phipps	Grand Junction	970-683-7566	
	Kevin O'Reilly	Tunnel	303-512-5675	
4	Steve Gonser	Evans	970-381-0213	
	Joe Burrows	Boulder	303-546-5647	
	Mike Ellis	Evans	970-350-2383	
	Rick Lockhart	Limon	719-775-8009	
5	Patrick Murphy	Durango	970-759-5300	
	Russell Ebel	Durango	970-385-8364	
HQ	Paul Smith	Denver	303-398-6547	C 303-319-9557
STAFF	Eric Prieve	Denver	303-398-6542	

Current on: 3-09-2017

NOTE: The On-Site Radiation Safety Officer (RSO) Emergency Notification Telephone Directory is updated and re-distributed to all applicable individuals as soon as there is a change to an individual or a phone number.

2. SAMPLE DOCUMENTS (continued)

2.4	Securing Gauges for Transport.....	Page 9
2.5	Certificate of Acceptance for Radiological Safety and Nuclear Gauge Operation.....	Page 12
2.6	CDOT Nuclear Incident Procedure.	Page 13
2.7	Colorado Department of Health - Notice to Employees.	Page 14
2.8	Nuclear Gauge Operation During Pregnancy.	Page 15
2.9	CDOT Form # 746: Nuclear Moisture/Density Gauge Log.	Page 16
2.10	CDOT Form # 772: Nuclear Asphalt Content Gauge Log.....	Page 17

3. CDOT Materials Forms – Applicable for Nuclear Gauge Testing
Located within
Materials Forms, Instructions & Examples Chapter

# 427	Nuclear Soils Moisture/Density Test.....	
# 428	Nuclear Asphalt Density Test.....	
# 469	Nuclear Asphalt Density Correction.....	
# 599	Nuclear Asphalt Content Correlation.....	
# 106	Nuclear Asphalt Content Test.....	

2.4 Securing Gauges for Transport

Examples for Various Vehicles: SUV



Securing Gauges for Transport**Examples for Various Vehicles: Open Bed Pickup**

Securing Gauges for Transport

Examples for Various Vehicles: Transport Box (NUX)



2.5 Certificate of Acceptance for Radiological Safety and Nuclear Gauge Operation

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION
Materials and Geotechnical Branch
4670 Holly Street, Unit A
Denver, Colorado 80216



Certificate of Acceptance
as a
Nuclear Gauge Operator

_____ has satisfactorily completed the "CDOT School of Radiological Safety & Nuclear Gauge Operation" on _____ presented by Eric Prieve, or has completed a training course in the safe use and handling of portable nuclear gauges which has been accepted by the U. S. Nuclear Regulatory Commission or Agreement State on _____ by _____.

The above stated individual has also completed a minimum of 8 hours of instruction and supervised hands-on operation of a Moisture/Density gauge and/or Asphalt Content Gauge. I certify that this individual is technically qualified to utilize a _____ gauge, and has acted in a manner equal to the responsibilities required by CDOT's Radioactive Materials License, Colorado 308-01.

ON-SITE RADIATION SAFETY OFFICER

DATE

_____ has met the requirements contained within the CDOT Radioactive Materials License and hereby is designated as a CDOT Nuclear Gauge Operator. The CDOT Nuclear Gauge Operator has been issued a CDOT Nuclear Gauge Operator Identification Card (CDOT Form #774). The above stated individual shall attend recurrent training at intervals not to exceed 3 years to retain his/her status as a CDOT Nuclear Gauge Operator.

CDOT RADIATION SAFETY OFFICER

DATE

2.6 CDOT Nuclear Incident Procedures

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Materials & Geotechnical Branch
4670 Holly Street
Denver, Colorado 80216-6437



CDOT NUCLEAR INCIDENT PROCEDURES

(Required to be posted: Nuclear Gauge Storage, Nuclear Gauge Binders)

1. I, _____, am the individual with primary responsibility for the Nuclear Gauge(s) assigned to this location. My Home Phone / Cellular number is _____.
2. I, _____, as Project Engineer share responsibility and liability for the physical security of all assigned nuclear gauges to this location.
3. **PROPER SHIPPING NAME AND HAZARD CLASS:**

USA DOT 7A TYPE A RADIOACTIVE MATERIAL, SPECIAL FORM, NON FISSILE OR FISSILE EXCEPTED, UN3332
4. **POTENTIAL HAZARDS, TO HEALTH:**
 - (a) Radiation presents minimal risk to nuclear gauge operators and emergency response personnel.
 - (b) Nuclear Gauges in undamaged "Type A" carrying cases are safe. Damaged packages may cause external radiation hazard.
 - (c) U.S. DOT "Type A" carrying cases contain non-life endangering amount of radio nuclides. Radioactive source capsules may be released in moderately severe accidents.
 - (d) Contamination and internal radiation hazards from inhalation, ingestion, or breaks in skin are not expected, but not impossible if special form source capsule is breached.
5. **RADIATION SAFETY OFFICERS (RSO'S) - Within CDOT TO CONTACT:**

	Location	RSO	Work Phone	Home Phone
1-On-Site		_____	_____	_____
2-On-Site		_____	_____	_____
3-On-Site		_____	_____	_____
4-Staff	Denver	Paul Smith	303-398-6547	303-319-9557
6. **MISSING GAUGE:**

Call the first available RSO, do not telephone the police.
7. **MINOR DAMAGE - [SOURCE CAPSULE(S) REMAIN WITHIN THE NUCLEAR GAUGE]:**
 - (a) Inspect from 1 meter away. Turn with a long handled tool.
 - (b) If damage is slight, move the gauge to the safety of the test trailer or lab. Call the first available RSO.
 - (c) If the source rod on a M/D Gauge is bent (will not retract), place gauge over a five gallon bucket filled with wet soil, shielding the rod and the neutron source area (center, base).
 - (d) Relocate gauge/bucket to trailer or lab. Call first available RSO.
8. **MAJOR DAMAGE - [SOURCE CAPSULE(S) SEPARATED FROM NUCLEAR GAUGE]:**
 - (a) Establish control. Do not allow the accident site to expand.
 - (b) Emergency response actions. First aid &/or extinguishing fire are highest priority. Advise medical personnel that victim may be contaminated with low level radioactive material.
 - (c) Rope off restricted area, minimum 6 meter (20 feet) radius from outer edge of nuclear gauge debris.
 - (d) Let no vehicles involved leave the site.
 - (e) Let only emergency response personnel enter.
 - (f) Maintain control of restricted area until officially released. Call first available RSO.

RH 10.2 POSTING OF NOTICES TO WORKERS

The Radioactive Materials License, the Rules and Regulations Pertaining to Radiation Control, and all communication both to and from the Colorado Department of Public Health and Environment may be examined at the CDOT Staff Materials Laboratory, 4670 Holly Street., Denver, Colorado 80216-6437.



Colorado Department
of Public Health
and Environment

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
Hazardous Materials and Waste Management Division
Radiation Management Program



Colorado Department
of Public Health
and Environment

NOTICE TO EMPLOYEES

STANDARDS FOR PROTECTION AGAINST RADIATION (PART 4); NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS; INSPECTIONS (PART 10); EMPLOYEE PROTECTION

HAZARDOUS MATERIALS AND WASTE MANAGEMENT

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Within Colorado, the Radiation Management Program of the Hazardous Materials and Waste Management Division (the Division) is the regulatory agency responsible for licensing and inspecting the use of radioactive materials and registering and inspecting radiation producing machines.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION RESPONSIBILITIES

The Division's primary responsibility is to ensure that workers and the public are protected from unnecessary or excessive exposure to radiation. The Division does this by establishing requirements in the State of Colorado Rules and Regulations Pertaining to Radiation Control, 6 Code of Colorado Regulations (CCR) 1007-1 (the Regulations).

EMPLOYER RESPONSIBILITIES

Any individual conducting activities licensed or regulated by the Colorado Department of Public Health and Environment (the Department), including those activities licensed or regulated by the Department's Hazardous Materials and Waste Management Division, must comply with the Division's requirements. If a violation of the Department's requirements occurs, the license or registration can be modified, suspended or revoked and/or the licensee or registrant can be fined.

Your employer must post or make available Department radiation regulations and must post Department Notices of Violation involving radiological working conditions.

EMPLOYEE RESPONSIBILITY

For your own protection and the protection of your co-workers, you should read and understand the requirements for your work and should obey them. If you observe violations of the requirements, you should report them.

REPORTING VIOLATIONS

If you believe that violations of the Department rules or of the terms of the license have occurred, you should report them immediately to your supervisor. If you believe that adequate corrective action is not being taken, you may report this to a Department inspector or to the Division.

WORKING IN A RADIATION AREA

If you work with or in the vicinity of radioactive materials or radiation producing machines, the amount of radiation exposure that you may legally receive is limited by the Regulations. The limits on your exposure, as well as the limits on the contamination of the materials and the equipment, are set by the Regulations. While the Regulations set the limits, your employer should also keep radiation exposure as far below those limits as is "reasonably achievable".

OBTAINING A RECORD OF WORKER RADIATION EXPOSURE

If the Regulations require that your radiation exposure be monitored, your employer is required to advise you annually of your dose. In addition, if you terminate employment with the licensee or registrant, you may request that your employer provide, at termination, a report of your radiation exposure during the current year.

IDENTIFYING VIOLATIONS OF DEPARTMENT REQUIREMENTS

The Department conducts regular inspections of licensed and registered facilities to assure compliance with Department requirements. In addition, licensees and registrants are required to perform audits, surveys and/or measurements to assure compliance.

CONTACTING A DEPARTMENT INSPECTOR

Your employer may not prevent you from talking with a Department inspector. You may request an inspection with an inspector and request that your identity remain confidential.

REQUESTING AN INSPECTION

If you believe that your employer has not corrected violations involving radiological working conditions, you may request an inspection. Your request should be addressed to the Hazardous Materials and Waste Management Division, Colorado Department of Public Health and Environment, and must describe the alleged violation in detail. You or your representative must sign the request.

CONTACTING THE DEPARTMENT

Call the Division. Department staff would like to talk to you if you are worried about radiation safety or other aspects of licensed or registered activities.

CAN I BE FIRED FOR RAISING A SAFETY ISSUE?

Federal law prohibits an employer from firing or otherwise discriminating against you for bringing safety concerns regarding radioactive material to the attention of your employer or the Department. You may not be fired or discriminated against because you:

- ask the Department to enforce its rules against your employer;
- refuse to engage in activities which violate Department requirements or are about to provide information to the Department or your employer about violations of requirements or safety concerns;
- are about to ask for, or testify, help or take part in, a Department, Congressional, or any Federal or State proceedings.

* NOTE: Federal law provisions do not apply to workers using only radiation producing machines (x-ray machines).

WHAT FORMS OF DISCRIMINATION ARE PROHIBITED?

It is unlawful for an employer to fire you or to discriminate against you with respect to pay, benefits, or working conditions because you help the Department or raise a safety issue.

HOW AM I PROTECTED FROM DISCRIMINATION?

If you believe that you have been discriminated against for bringing violations or safety concerns to the Department or your employer, you may file a complaint with the U.S. Department of Labor pursuant to Section 211 of the Energy Reorganization Act of 1974 (42 U.S.C. 5851). To do so you may directly contact the Occupational Safety and Health Administration (OSHA) Regional Office to receive your complaint. Your complaint must describe the firing or discrimination and must be filed within 180 days of the occurrence.

Send complaints to:

Department of Labor/OSHA
1909 Broadway, Suite 1600
P.O. Box 46550
Denver, Colorado 80201-4550

or contact the OSHA office by telephone at (303) 844-1660 or by fax at (303) 844-1616.

WHAT CAN THE DEPARTMENT OF LABOR DO?

The Department of Labor will notify the employer that a complaint has been filed and will investigate the case.

If the Department of Labor finds that your employer has unlawfully discriminated against you, it may order that you be reinstated, receive back pay, or be compensated for any injury suffered as a result of the discrimination.

WHAT CAN THE HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION DO?

If the Department of Labor or Division finds that unlawful discrimination has occurred, the Division may issue a Notice of Violation to your employer, impose a fine, or suspend, modify, or revoke your employer's license or registration.


OR-RH-15 (3/94, previous editions are obsolete)

Radiation Management Program, Hazardous Materials and Waste Management Division, Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South, Denver, CO, 80246-1530, (303) 692-3300

2.8 Nuclear Gauge Operation During Pregnancy

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION
Materials & Geotechnical Branch
4670 Holly Street
Denver, Colorado 80216
303-398-6542



DEPARTMENT OF TRANSPORTATION

Dear _____;

The Colorado Department of Public Health states, a woman has the right to or not to declare her pregnancy. The Colorado Department of Transportation (CDOT) policy regarding nuclear gauge operation during pregnancy is to allow a woman to make an informed decision. A declaration of pregnancy remains confidential, and employment status can not be effected by this decision.

The Colorado Department of Public Health and Environment's "Rules and Regulations Pertaining to Radiation Control," provides a technical reference for our Radioactive Materials License. An employee working within a restricted area may receive a maximum occupational dose of 5.0 REM (5000-milliREM) of exposure per year. An individual in an unrestricted area, may receive a maximum of 100-milliREM of exposure per year. The National Council of Radiation Protection and Measurement recommends that the embryo/fetus does not receive more than 500 milliREM of exposure during the full 9-month pregnancy. Troxler Electronic Laboratories, manufacturer of CDOT nuclear gauges, states that under average conditions a full time employee working with Troxler moisture density gauges and/or asphalt content gauges will receive less than 200 milliREM of exposure per year. CDOT records indicate that very few employees have exceeded half of Troxler's 200-milliREM value for their lifetime exposure.

I, _____, have read the preceding paragraph and I am aware that if I have any questions CDOT's Radiation Safety, Eric Prieve, is available for consultation.

I will maintain my status as an active nuclear gauge operator through my pregnancy, at least until the time when other health concerns prevent my continued involvement in these activities. The estimated date of conception is _____.

(signature)

(date)

I wish to be removed temporarily as an active nuclear gauge operator until my child is born. The estimated date of conception is _____.

(signature)

(date)

Please return this letter with your original signature to the CDOT Nuclear Office. A letter indicating the date of birth of your child is required.

Sincerely,

Eric Prieve
CDOT Radiation Safety Officer

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